

UNITED STATES DISTRICT COURT

for the
District of New Mexico**FILED**
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

JUN 20 2017

MATTHEW J. DYKMAN
CLERK

Case No.

MR 17-537

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)1126 Nutrias Place SW
Albuquerque, NM 87105

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
See attachment A of the Affidavitlocated in the Bernalillo District of New Mexico, there is now concealed (identify the person or describe the property to be seized):
See attachment B of the Affidavit

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
Title 21 U.S.C. § 841Offense Description
Possession with the intent to distributeThe application is based on these facts:
See attached Affidavit

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Peter Jon N. Ubbelohde FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 6-20-17City and state: Albuquerque NM

Judge's signature

Kirtan Khalsa US Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

IN THE MATTER OF THE SEARCH OF
1126 Nutrias Place SW
Albuquerque, NM 87105

Case No. _____

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Peter Jon N. Ubbelohde, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant under Rule 41 of the Federal Rules of Criminal Procedure for evidence of a crime associated with a commission of a felony that is stored at premises utilized by Alex Gamboa. The evidence of a crime to be searched and seized are described in the following paragraphs and in Attachment A.

2. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since June 2015. I am currently assigned to the Albuquerque Field Office, in the Violent Crimes Program, with a primary duty to investigate individuals involved in violent crimes. The information set forth in this affidavit has been derived from investigation conducted by your affiant, and/or communicated to me by other sworn law enforcement officers.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that a violation of Title 21 U.S.C. § 841 has been committed by Alex Gamboa. There is also

probable cause to search evidence of a crime that are stored at a location described in Attachment A for evidence of these crimes as further described in Attachment B.

PROBABLE CAUSE

5. On June 19, 2017, The FBI Safe Streets Task Force attempted to conduct a controlled delivery to Alex Gamboa and Juan Quezada-Lara at 2820 Coors Blvd NW. During the controlled delivery the offenders received the methamphetamine and drove away from the arrest location with approximately five pounds of Methamphetamine after striking a FBI Task Force Officer with their vehicle. The task Force Officer was transported to the hospital for injuries sustained. The offender's vehicle was located on June 19, 2017 in the area of 12th Street and Los Golondrinas, Albuquerque, NM. Juan Quezada-Lara turned himself in on the morning of June 20, 2017. During the interview Quezada-Lara stated that the package containing methamphetamine Alex Gamboa received from investigators was hidden in the neighborhood in which the target vehicle was recovered. Juan Quezada-Lara further stated that he believed Alex Gamboa would later return to retrieve the package. Investigators checked the area described by Juan Quezada-Lara and were unable to locate the package.

6. On June 20, 2017 investigators located Alex Gamboa at 1126 Nutrias SW. He had an outstanding warrant for his arrest for a Probation Violation. During the course of apprehending Alex Gamboa he told investigators that we could "not search the residence without a warrant."

7. Law enforcement personnel secured the residence and performed a security sweep for additional persons. A fourteen-year-old juvenile male was located in the residence. The fourteen-year-old male was removed and the residence was secured pending the warrant. The

juvenile male stated that Alex Gamboa was in the residence prior to his arrival on the morning of June 20, 2017.

8. A confidential source stated that Alex Gamboa was in possession of the missing methamphetamine and that he had it with him just prior to investigators locating Alex at 1126 Nutrias SW, Albuquerque, NM. This confidential source has been used on several occasions and they have always provided truthful and accurate information.

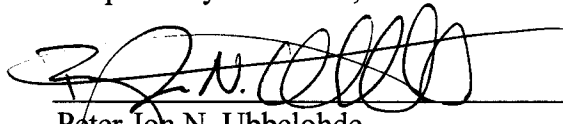
AUTHORIZATION REQUEST

9. Based on the foregoing, I request that the Court issue the proposed search and seizure warrant, pursuant to the Federal Rule of Criminal Procedure 41, to allow the search and seizure of evidence of a crime.

10. Assistant United States Attorney Kim Brawley has reviewed and approved this affidavit for a search and seizure warrant.

11. I swear that this information is true and correct to the best of my knowledge.

Respectfully submitted,



Peter Jon N. Ubbelohde
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on June 20, ~~2016~~ 2017



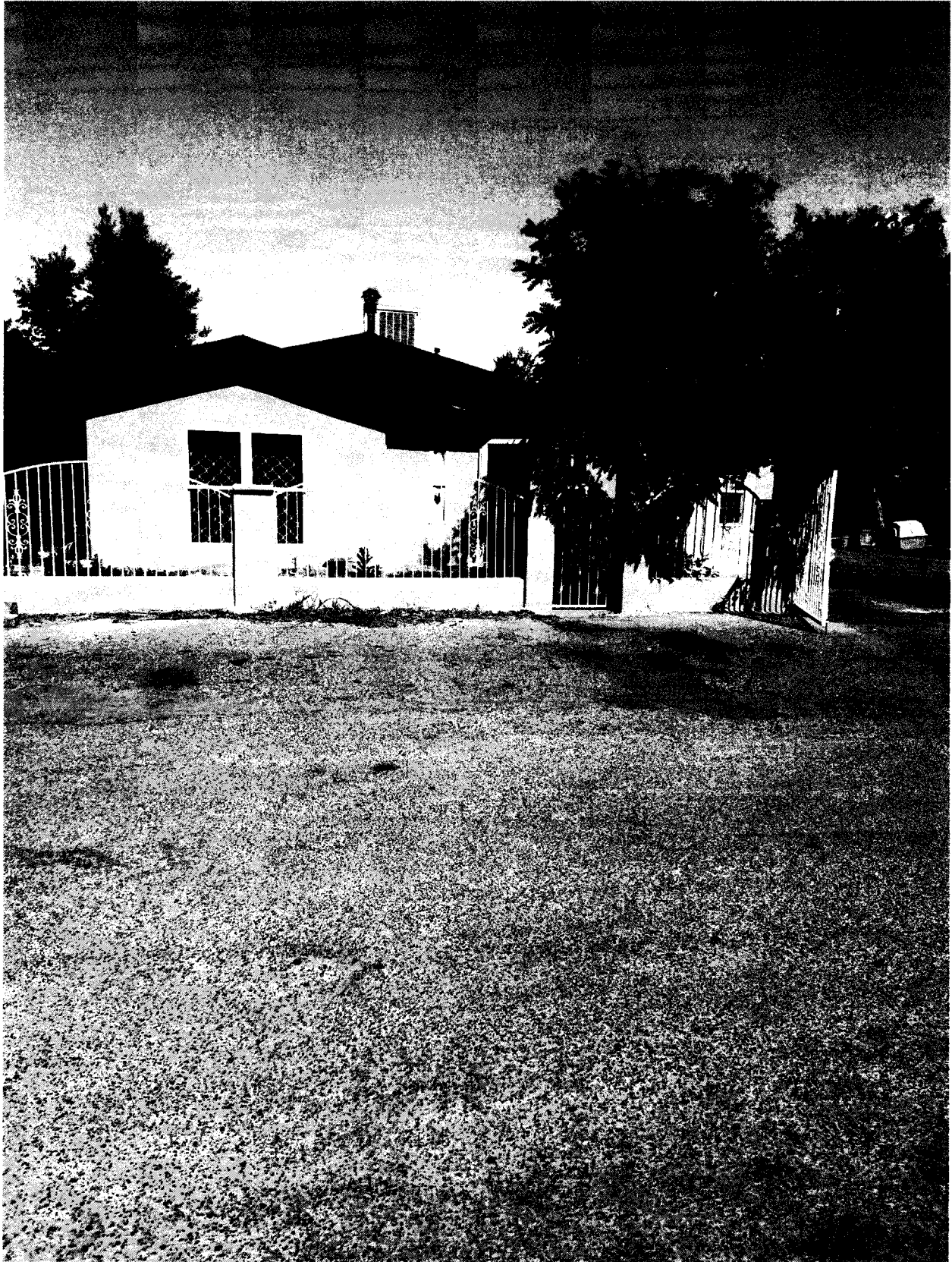
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Property to Be Searched

This warrant applies items listed in Attachment B that were used or obtained during a commission of a felony that is stored at premises, located at 1126 Nutrias Place SW., Albuquerque, New Mexico 87105.

The house, curtilage, and property to be searched are located in the City of Albuquerque in Bernalillo County. The residence is located at 1126 Nutrias SW. The front door of the residence faces West and is visible from the roadway. The residence is a tan single story home with red trim and a pitched roof. The numbers "1126" are clearly displayed in black on the mail box in front of the residence.





ATTACHMENT B

Particular Things to be Seized

I. Items to be Searched and Seized by the Government

The following items, or materials, in whatever form, ~~are to be seized and search for the~~ ^{KK}
~~evidence, contraband, fruits of a crime, other items illegally possessed, and property intended~~
~~for use or used in committing a violation of Title 21 U.S.C. § 841 possession with intent to~~
~~distribute:~~

1. Methamphetamine ~~and other controlled substances~~ ^{KK}
2. ~~Drug packaging material~~
3. ~~Scales~~
4. ~~Drug paraphernalia~~